

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

WESTERN DISTRICT OF WASHINGTON

Case number (if known)

Chapter 11

Check if this an amended filing

**Official Form 201**

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

|  |   |  |   |
|--|---|--|---|
| 1. Debtor's name   | <u>SelbySoft, Inc</u>   |  |   |
| 2. All other names debtor used in the last 8 years       | Include any assumed names, trade names and doing business as names  |  |   |
| 3. Debtor's federal Employer Identification Number (EIN) | <u>91-1456962</u>   |  |   |
| 4. Debtor's address                                      | Principal place of business<br><br><u>13605 122nd Ave E<br/>Puyallup, WA 98374</u><br>Number, Street, City, State & ZIP Code  | Mailing address, if different from principal place of business<br><br>P.O. Box, Number, Street, City, State & ZIP Code | Location of principal assets, if different from principal place of business<br><br>Number, Street, City, State & ZIP Code |
| 5. Debtor's website (URL)                                | <u>www.selbysoft.com</u>  |  |   |
| 6. Type of debtor  | <input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))<br><input type="checkbox"/> Partnership (excluding LLP)<br><input type="checkbox"/> Other. Specify: _____ |  |   |

**7. Describe debtor's business** A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**5415**

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- No.
- Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

Debtor **SelbySoft, Inc**  
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- No  
 Yes.

List all cases. If more than 1, attach a separate list

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

11. Why is the case filed in this district? Check all that apply:

- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.  
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_  
 It needs to be physically secured or protected from the weather.  
 It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).  
 Other \_\_\_\_\_

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

No

Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

### Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.  
 After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

1-49  
 50-99  
 100-199  
 200-999

1,000-5,000  
 5,001-10,000  
 10,001-25,000

25,001-50,000  
 50,001-100,000  
 More than 100,000

15. Estimated Assets

\$0 - \$50,000  
 \$50,001 - \$100,000  
 \$100,001 - \$500,000  
 \$500,001 - \$1 million

\$1,000,001 - \$10 million  
 \$10,000,001 - \$50 million  
 \$50,000,001 - \$100 million  
 \$100,000,001 - \$500 million

\$500,000,001 - \$1 billion  
 \$1,000,000,001 - \$10 billion  
 \$10,000,000,001 - \$50 billion  
 More than \$50 billion

16. Estimated liabilities

\$0 - \$50,000

\$1,000,001 - \$10 million

\$500,000,001 - \$1 billion

Debtor

**SelbySoft, Inc**

Name

Case number (*if known*)

\$50,001 - \$100,000  
 \$100,001 - \$500,000  
 \$500,001 - \$1 million

\$10,000,001 - \$50 million  
 \$50,000,001 - \$100 million  
 \$100,000,001 - \$500 million

\$1,000,000,001 - \$10 billion  
 \$10,000,000,001 - \$50 billion  
 More than \$50 billion

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 25, 2023  
MM / DD / YYYY

**X /s/ Kevin Scott**

Signature of authorized representative of debtor

Title President

**Kevin Scott**

Printed name

**18. Signature of attorney**

**X /s/ David C. Smith WSBA**

Signature of attorney for debtor

Date May 25, 2023

MM / DD / YYYY

**David C. Smith WSBA #29824**

Printed name

**Law Offices of David Smith, PLLC**

Firm name

**201 Saint Helens Ave**

**Tacoma, WA 98402**

Number, Street, City, State & ZIP Code

Contact phone 253-272-4777

Email address david@davidsmithlaw.com

**WSBA #29824 WA**

Bar number and State

Fill in this information to identify the case:

|   |                                   |
|---|-----------------------------------|
| Debtor name                             | SelbySoft, Inc                    |
| United States Bankruptcy Court for the: | WESTERN DISTRICT OF<br>WASHINGTON |
| Case number (if known):                 |                                   |

Check if this is an  
amended filing

## Official Form 204

### Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

| Name of creditor and complete mailing address, including zip code               | Name, telephone number and email address of creditor contact  | Nature of claim (for example, trade debts, bank loans, professional services, and government contracts) | Indicate if claim is contingent, unliquidated, or disputed | Amount of claim                   |   |                 |
|---|---|---|--|-----------------------------------|---|-----------------|
|   |   |   |  | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| American Express National Bank P.O. Box 650448 Dallas, TX 75265-0448            | c/o Robert Jindra, Attorney<br><a href="mailto:robertj@suttelllaw.com">robertj@suttelllaw.com</a><br>888-788-8355 | Credit Card   |  |                                   |   | \$44,876.97     |
| Department of Revenue Attn: Bankruptcy Dept 1025 Union Ave SE Olympia, WA 98501 | Unknown   | Unpaid Taxes  |  |                                   |   | \$1,000.00      |
| IRS P.O. Box 21126 Philadelphia, PA 19114                                       | unknown   | Unpaid 941  |  |                                   |   | \$12,000.00     |
| Keybank NA 4910 Tiedman Road Cleveland, OH 44144                                | Davis Leigh<br><a href="mailto:dbleigh@schwabe.com">dbleigh@schwabe.com</a><br>206-622-1711                       | Business Loan   |  |                                   |   | \$1,475,938.00  |

INTERNAL REVENUE SERVICE  
P.O. BOX 21126  
PHILADELPHIA, PA 19114

INTERNAL REVENUE SERVICE  
P.O. BOX 21126  
PHILADELPHIA, PA 19114

AMERICAN EXPRESS NATIONAL BANK  
P.O. BOX 650448  
DALLAS, TX 75265-0448

DEPARTMENT OF REVENUE  
ATTN: BANKRUPTCY DEPT  
1025 UNION AVE SE  
OLYMPIA, WA 98501

IRS  
P.O. BOX 21126  
PHILADELPHIA, PA 19114

IRS  
915 SECOND AVE, SPF OFFICE  
SEATTLE, WA 98174

KEYBANK NA  
4910 TIEDMAN ROAD  
CLEVELAND, OH 44144

LABOR AND INDUSTRY  
P.O BOX 44000  
OLYMPIA, WA 98504

SCHWABE WILLIAMSON WYATT  
C/O DAVIS LEIGH  
1420 5TH AVE, SUITE 3400  
SEATTLE, WA 98101

SCHWABE WILLIAMSON WYATT  
C/O CRAIG G. RUSSILLO  
1211 SW 5TH AVE STE 1900  
PORTLAND, OR 97204

SUTTELL & HAMMER PS  
C/O ROBERT JINDRA  
PO BOX C-90006  
BELLEVUE, WA 98009

**United States Bankruptcy Court  
Western District of Washington**

In re **SelbySoft, Inc**

Debtor(s)

Case No.  
Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for SelbySoft, Inc in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

**Kevin Scott**  
**13605 122nd Ave**  
**Puyallup, WA 98374**

None [*Check if applicable*]

**May 25, 2023**

Date

*/s/ David C. Smith WSBA*

**David C. Smith WSBA #29824**

Signature of Attorney or Litigant  
Counsel for SelbySoft, Inc  
**Law Offices of David Smith, PLLC**  
**201 Saint Helens Ave**  
**Tacoma, WA 98402**  
**253-272-4777 Fax:253-461-8888**  
**david@davidsmithlaw.com**